

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

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| THE UNITED STATES OF AMERICA | § | |
| | § | |
| V. | § | CASE NO. 4:07cv100 |
| | § | |
| ALBERT LYNN BARCROFT | § | |

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On April 28, 2009, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Fannin County and Leonard Independent School District's Motion to Enter Final Judgment on Ad Valorem Tax (Dkt. 333), the United States' Motion for Partial Summary Judgment (Dkt. 309) and the United States' Supplemental Motion for Summary Judgment (Dkt. 371) should be GRANTED, that any remaining claims of Albert Lynn Barcroft against the United States or any other party should be dismissed, and that the Court should enter judgment in favor of the United States, Bonham Independent School District, Fannin County Texas, and Leonard Independent School District.

All parties were given notice of the report and provided with an opportunity to object. On May 1, 2009, the United States filed a limited objection to the report, seeking to correct a typographical error in the report. No other objections have been filed.

Having received the report of the United States Magistrate Judge, the Court is of the opinion that, with the correction of the typographical error, the findings and conclusions of the Magistrate

Judge are correct and adopts the Magistrate Judge's report (with the typographical error of the date "2208" corrected to "2008") as the findings and conclusions of the Court. Therefore, Fannin County and Leonard Independent School District's Motion to Enter Final Judgment on Ad Valorem Tax (Dkt. 333), the United States' Motion for Partial Summary Judgment (Dkt. 309) and the United States' Supplemental Motion for Summary Judgment (Dkt. 371) are GRANTED, any remaining claims of Albert Lynn Barcroft against the United States or any other party are dismissed, and judgment will be entered in favor of the United States, Bonham Independent School District, Fannin County Texas, and Leonard Independent School District.

IT IS SO ORDERED.

SIGNED this 20th day of May, 2009.


MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE